

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ELIZABETH ORZECOWSKI,

Case No. 08-11155

Plaintiff,

DISTRICT JUDGE  
ARTHUR J. TARNO

v.

MAGISTRATE JUDGE  
STEVEN WHALEN

LAW FIRM OF WEBER AND OLCESE, PLC, *et*  
*al.*,

Defendants.

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**ORDER REQUIRING PLAINTIFF TO FILE AN AMENDED COMPLAINT,**  
**AND DENYING WITHOUT PREJUDICE**  
**DEFENDANT LAW FIRM OF WEBER AND OLCESE'S**  
**MOTION TO DISMISS [11]**

Before the Court are Motions to Dismiss by Defendant 20<sup>th</sup> District Court [8], and by Defendant Law Firm of Weber and Olcese [11]. Oral arguments on the Motions were scheduled for November 18, 2008. Before the hearing, Plaintiff voluntarily stipulated to Defendant 20<sup>th</sup> District Court's dismissal with prejudice from the action. The Court proceeded to hear argument as to the remaining Defendant Law Firm of Weber and Olcese's Motion to Dismiss [11].

For the reasons stated on the record at the hearing,

**IT IS HEREBY ORDERED** that by December 5, 2008, Plaintiff shall file an Amended Complaint, clarifying the counts that survive as to the remaining Defendant.

**IT IS FURTHER ORDERED** that the remaining Defendant's Motion to Dismiss [11] is **DENIED** without prejudice to Defendant's ability to renew the Motion after Plaintiff files an Amended Complaint, and Defendant files a responsive Answer.

**SO ORDERED.**

S/ARTHUR J. TARNOW  
Arthur J. Tarnow  
United States District Judge

Dated: November 19, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 19, 2008, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR  
Case Manager